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## PUEBLO OF ZUNI

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October 25, 2000

Gregg A. Cooke, Regional Administrator  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

**RE: The Pueblo of Zuni's designation recommendation for the 8-hour Ozone National Ambient Air Quality Standard**

Dear Mr. Cooke:

On behalf of the Pueblo of Zuni, we recommend to EPA Region 6 that our Pueblo air shed be designated as an attainment/unclassifiable area for the new 8-hour ozone NAAQS. Our recommendation is based on the lack of ozone air data in this area of New Mexico.

Although we understand from our last Regional Tribal Operations Committee meeting that the regulations only allow for a designation of attainable/unclassifiable or nonattainment, the Pueblo of Zuni strongly disagrees that attainment and unclassifiable should be put into the same category designation. Attainable should mean that the air shed is in attainment with the ozone standard, and unclassifiable should mean that an air shed cannot—due of lack of data—be classified as either attainment or unattainment.

This distinction is important because it fits into a much larger air issue. The Pueblo of Zuni, like most tribes in the Region, has little to no air data to work with. In the near future, the Pueblo of Zuni will be applying for an air grant under Clean Air Act 103, with the intent to someday monitor our air. There is a tendency to assume that just because there are no major point sources of air emissions on Indian lands, there are no air quality issues. The fact is that there has never been scientific, baseline data to justify the air quality in Zuni. We hope that our development of an air program reaches a point where monitors can be placed on our Reservation to obtain factual, scientific data as to the quality of our air. We will be working closely with your Air Program Staff at the Region to accomplish this.

Please keep the Pueblo of Zuni informed of the pending US Supreme Court case regarding the application of this ozone standard. If you have questions or comments, please direct them to Mr. Pablo Padilla, Zuni Environmental Protection Program Manager, at (505) 782-5852. Thank you.

Sincerely,

Malcolm B. Bowekaty  
Governor, Pueblo of Zuni

Cc: Thomas Diggs, Chief of Air Planning, EPA R6